

How a Tort Action Affects your Right to EEOICPA Benefits

A guide for workers and
survivors covered by EEOICPA



**U.S. Department of Labor
Division of Energy Employees
Occupational Illness Compensation**

What is a "Beryllium Vendor"?

The Energy Employees Occupational Illness Compensation Program Act (EEOICPA) names eight specific companies as beryllium vendors, without further limitation or definition of specific locations or facilities owned or operated by these firms:

1. Atomics International
2. Brush Wellman, Inc., formerly known as: Brush Beryllium Company
3. General Atomics
4. General Electric Company
5. NGK Metals Corporation, formerly known as:
 - Kawecki-Berylco
 - Cabot Corporation
 - BerylCo
 - Beryllium Corporation of America
6. Nuclear Materials and Equipment Corporation
7. StarMet Corporation, formerly known as: Nuclear Metals, Inc.
8. Wyman Gordan, Inc.

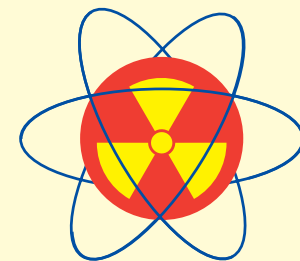
The Department of Energy designated numerous additional beryllium vendors and published a list of those vendors in the Federal Register (66 FR 31218, dated June 11, 2001).

For specific questions about your entitlement circumstances, call the Division of Energy Employees Occupational Illness Compensation district office with jurisdiction for the area in which the last covered employment occurred:

Jacksonville, Florida	(877) 336-4272
Cleveland, Ohio	(888) 859-7211
Denver, Colorado	(888) 805-3389
Seattle, Washington	(888) 805-3401

If... you are a covered employee or an eligible survivor of a deceased employee...

AND you filed a tort action (law suit) against a beryllium vendor (see definition on reverse side of this pamphlet) or injuries arising out of an exposure to beryllium, the following rules govern your entitlement to benefits under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA)...



If the lawsuit was filed:	You are eligible for EEOICPA benefits:	You are not eligible for EEOICPA benefits:
BEFORE October 30, 2000...	...if you dismiss the suit prior to December 31, 2003...	...if the suit remained pending as of December 28, 2001 and you do not dismiss it before December 31, 2003...
FROM October 30, 2000 through December 28, 2001if you dismiss the suit before the later of... a) April 30, 2003 OR b) 30 months from the date you became aware of the employment-related condition...	... if you do not dismiss the suit before the later of... a) April 30, 2003 OR b) 30 months from the date you became aware of the employment-related condition...
AFTER December 28, 2001if no final court decision is or has been entered AND... ...you dismiss the suit before the later of... a) April 30, 2003 OR b) 30 months from the date you became aware of the employment-related condition.	...if a final court decision is or has been entered against you...

NOTE: While tort suits terminated before December 28, 2001 do not effect EEOICPA benefit eligibility, sums recovered in those suits may be offset against compensation awarded under the EEOICPA. Similar rules apply to suits against atomic weapons employers.